



Order Filed on November 22, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-1(b)

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Servicing*

In Re:

Ronald J. Mercer dba Mercer Remodling,
Debtor(s).

Case No.: 23-16472-MBK

Chapter: 13

Hearing Date: 11/22/2023 at 9:00am

Judge: Michael B. Kaplan, C.U.S.B.J.

Recommended Local Form

☐ Followed

☒ Modified

ORDER VACATING AUTOMATIC STAY AND CO-DEBTOR STAY

The relief set forth on the following pages is hereby **ORDERED**.

DATED: November 22, 2023

A handwritten signature in black ink, appearing to read "Michael B. Kaplan", is written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Upon the Motion of NewRez LLC d/b/a Shellpoint Mortgage Servicing, on behalf of itself and its successors and/or assigns(hereinafter collectively “Secured Creditor” and/or “Movant”), under Bankruptcy Code Section 362(d) for relief from the automatic stay and 1301(c) for relief from the co-debtor stay with respect to Melissa Mercer (the “Co-Debtor”) as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay and the co-debtor stay are vacated to permit the Movant its successors and/or assigns to institute or resume and prosecute to conclusion one or more action(s) in the court(s) of appropriate jurisdiction to pursue the Movant’s rights in the following:

Real property more fully described as:

288 Kettle Creed Road, Toms River, NJ 08753,

also known as Block 357, Lot 1 as shown on the Tax Map of the Township of Toms River, Ocean County, New Jersey.

It is further ORDERED that the Movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the Movant may join the Debtor, the Co-Debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtors and Co-Debtor.

The movant shall serve this Order on the Debtor, Co-Debtor, any trustee and any other party who entered an appearance on the motion.